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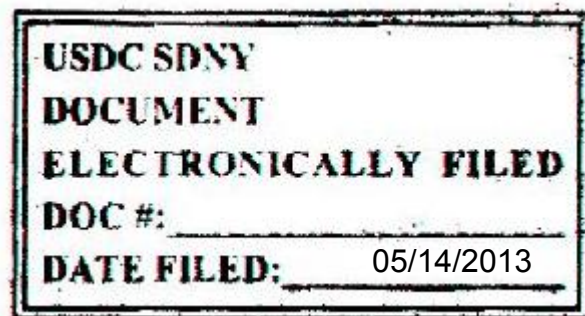
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May 10, 2013

Via E-mail

Hon. Lorna G. Schofield  
United States District Court  
500 Pearl St.  
New York, New York 10007

Re: Guzman v. NYP Holdings, Inc., et al.  
No. 09 CV 9323 (LGS)



Dear Judge Schofield:

This firm represents the defendants in the above-referenced matter. We write pursuant to Rule I.C.3 of Your Honor's Rules of Individual Practice, Redactions and Filing Under Seal, to explain our reason for seeking to file two pages under seal in connection with a summary judgment motion being filed today. Attached are those two pages, with the relevant portions highlighted.

The two pages refer to material contained in a document that Plaintiff has marked "Confidential" pursuant to the confidentiality stipulation (ECF No. 26) in this matter. This stipulation requires that "Confidential" documents and/or testimony must be filed under seal. We requested that the material be de-designated confidential, but Plaintiff declined this request.

We will file our entire motion today by ECF, with the confidential material redacted. We will serve our entire motion on plaintiff's counsel today, without redactions. If the Court permits, we will then file the three pages in question under seal according to the district's procedures for filing under seal. Courtesy copies of the motion provided to chambers later will reflect the original material, but be highlighted to remind the Court of the sealed nature of it.

Finally, pursuant to Rule I.C.3, Defendants respectfully request that these pages be deemed as filed as of today following our service of our moving papers on Plaintiff. We thank Your Honor for your consideration in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark W. Lerner".

Mark W. Lerner

enc.

cc: Lawrence M. Pearson, Esq.

Application Granted. 5/14/13

A handwritten signature in black ink, appearing to read "Lorna G. Schofield".  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE